

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

JUN - 2 2021

BY  
DEPUTY \_\_\_\_\_

UNITED STATES OF AMERICA

§

§

v.

§

No. 9:21-CR-16

§

Clark-Hawthorn

CLOVIS CORTEZ MAXWELL

§

**INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES:

**Count One**

Violation: 18 U.S.C. § 1029(a)(1)  
(Producing, Using or Trafficking in a  
Counterfeit Access Device)

From on or about July 1, 2020 through on or about August 5, 2020, **Clovis Cortez Maxwell**, defendant, in the Eastern District of Texas and elsewhere, did knowingly and with intent to defraud, produce, use or traffic in counterfeit access devices, namely counterfeit, fictitious or forged credit/debit cards and/or credit/debit card account numbers and the defendant did design, alter, authenticate, duplicate or assemble said counterfeit devices and/or transfer or otherwise dispose of to another or obtained control of with intent to transfer or dispose of said counterfeit access devices, said production, use or trafficking affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 1029(a)(1).

**Count Two**

Violation: 18 U.S.C. § 1029(a)(2)  
(Using or Trafficking in an Unauthorized  
Access Device)

From on or about July 1, 2020 through on or about August 5, 2020, **Clovis Cortez Maxwell**, defendant, in the Eastern District of Texas and elsewhere, did knowingly and with intent to defraud, use or traffic in an unauthorized access device(s), namely credit/debit cards and/or credit/debit card account numbers, obtained with the intent to defraud, and by such conduct, from on or about July 1, 2020 through on or about August 5, 2020 obtained \$16,908.00, said use or trafficking affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 1029(a)(2).

**Count Three**

Violation: 18 U.S.C. § 1028A(a)(1)  
(Aggravated Identity Theft)

On or about August 5, 2020, **Clovis Cortez Maxwell**, defendant, in the Eastern District of Texas, did knowingly possess, without lawful authority, a means of identification of another person or persons, that being driver's license number, social security number and/or credit/debit account numbers, during and in relation to a felony violation, to wit, producing, using or trafficking in counterfeit or unauthorized access devices in violation 18 U.S.C. § 1029(a)(1) and/or 18 U.S.C. § 1029(a)(2).

All in violation of Title 18, United States Code, Section 1028A(a)(1).

**NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE**

**Criminal Forfeiture Pursuant to 18 U.S.C. § 982(a)(2)(B), 18 U.S.C. § 1029(c)(1)(C)  
and 18 U.S.C. § 1028(b)**

As the result of committing the offenses alleged in this Indictment, the defendants shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(2)(B), 18 U.S.C. § 1029(c)(1)(C) and 18 U.S.C. § 1028(b), all property, real or personal, that constitutes or is derived from proceeds traceable to the aforementioned offense. All such property is forfeitable to the United States.

1. The allegations contained in Counts One, Two and Three of this indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 982(a)(2)(B), 18 U.S.C. § 1029(c)(1)(C) and 18 U.S.C. § 1028(b).
2. Upon conviction of the offenses set forth in Counts One, Two and Three of this indictment, **Clovis Cortez Maxwell**, defendant, shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(2)(B), 18 U.S.C. § 1029(c)(1)(C) and 18 U.S.C. § 1028(b), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses. The property to be forfeited includes, but is not limited to, the following:  
  
One (1) silver Hewlett Packard Elite 830 G6 laptop computer;  
  
Two (2) black Apple iPhone cell phones; and  
  
One (1) black and red Sandisk Cruzer Glide 16GB USB drive.

All pursuant to 18 U.S.C. § 982(a)(2)(B), 18 U.S.C. § 1029(c)(1)(C) and 18 U.S.C. § 1028(b).

TRUE BILL

RTA  
GRAND JURY FOREPERSON

NICHOLAS J. GANJEI  
ACTING UNITED STATES ATTORNEY

TLQ  
TOMMY L. COLEMAN  
Special Assistant United States Attorney

JUNE 2, 2021  
Date

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 9:21-CR- 16
	§	
CLOVIS CORTEZ MAXWELL	§	

**NOTICE OF PENALTY**

**Count One**

Violation: 18 U.S.C. § 1029(a)(1)  
(Producing, Using or Trafficking in a Counterfeit Access Device  
with intent to defraud )

Penalty: Imprisonment for not more than 10 years, a fine  
not to exceed \$250,000.00, (or twice the  
pecuniary gain to the defendant or loss to the  
victim) or both; and supervised release of not  
more than three (3) years.

Special Assessment: \$100.00

**Count Two**

Violation: 18 U.S.C. § 1029(a)(2)  
(Using or Trafficking in an Unauthorized Access Device)

Penalty: Imprisonment for not more than 10 years, a fine  
not to exceed \$250,000.00, (or twice the  
pecuniary gain to the defendant or loss to the  
victim) or both; and supervised release of not  
more than three (3) years.

Special Assessment: \$100.00

**Count Three**

Violation: 18 U.S.C. § 1028A(a)(1)  
(Aggravated Identity Theft)

Penalty: Imprisonment for 2 years consecutive to any other term of imprisonment imposed, a fine not to exceed \$250,000.00, (or twice the pecuniary gain to the defendant or loss to the victim) or both; and supervised release of not more than three (3) years.

Special Assessment: \$100.00